BEFORE THE LOK ADALATH
ORGANIZED BY THE KERALA HIGH COURT LEGAL SERVICES COMMITTEE

PRESENT :

THE HONOURABLE MR. JUSTICE K.JOHN MATHEW
(RETD.JUDGE, HIGH COURT OF KERALA)
&
THE HONOURABLE MR. JUSTICE M.R.HARIHARAN NAIR
(RETD.JUDGE, HIGH COURT OF KERALA)

THURSDAY, THE 23RD AUGUST 2007 / 1ST BHADRA 1929

MACA.No. 1867 of 2006(B)

O.P.(MV) NO.644/2005 OF THE MOTOR ACCIDENT CLAIMS TRIBUNAL, PALA

APPELLANTS/PETITIONERS:
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1. SHIJI, W/O. REGI,
PONGOLI HOUSE, KURAVILANGADU KARA,
KURAVILANGADU VILLAGE.

2. RAJEENAMOLE (MINOR), D/O. REJI,
REP. BY HER MOTHER AND NEXT FRIEND SHIJI,
W/O. REGI, PONGOLI HOUSE, KURAVILANGADU KARA,
KURAVILANGADU VILLAGE.

3. JAYAL REJI (MINOR),
S/O. REJI, REP. BY HER MOTHER AND
NEXT FRIEND SHIJI, W/O. REGI, PONGOLI HOUSE,
KURAVILANGADU KARA.

4. P.C. CHACKO, S/O. CHACKO,
-DO- -DO- -DO-.

5. THRESSIAMMA CHACKO, W/O. CHACKO, -DO- -DO-.

BY ADV. SRI.BABY THOMAS

RESPONDENTS/RESPONDENTS:
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1. SANTHOSH K.K., S/O.KOCHUKUNJU,
KOLLAMPARAMBIL HOUSE,KURAVILANGADU P.O.,
KOTTAYAM DIST.

2. MANOJ VARGHESE, S/O. VARGHESE,
MANOJ VILLA, MANJOOR P.O., KURUPPANTHARA, VAIKOM.

3. THE BRANCH MANAGER,
NEW INDIA ASSURANCE CO. LTD., MOOVATTUPUZHA BRANCH.

BY ADV. SRI.KKM.SHERIF (FOR R3)

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING COME UP FOR DETERMINATION AT THE LOK ADALATH AND THE PARTIES HAVING SETTLED THE MATTER, THE FOLLOWING AWARD IS PASSED IN TERMS OF THE SETTLEMENT:

JUSTICE K.JOHN MATHEW (RETD. JUDGE, HIGH COURT OF KERALA) & JUSTICE M.R.HARIHARAN NAIR (RETD. JUDGE, HIGH COURT OF KERALA)

M.A.C.A. No.1867 of 2006

Dated this the 23rd day of August, 2007

AWARD

The parties have settled the appeal on condition that the 3rd respondent Insurance Company deposits in the Tribunal an additional compensation of Rs.93,000/- (Rupees Ninety three thousand only) within two months. Out of this amount Rs.11,700/- each will be payable to appellants in 4 and 5 (parents of the deceased). Out of the balance 1/3 is due to each appellants 1, 2 and 3. The 1st appellant will be permitted to withdraw her 1/3 share. The amount payable to minor appellants 2 and 3 shall be deposited in respect of their names in a Nationalized Bank until they attain majority. In case of failure to deposit within two months from the date of receipt of a copy of this award the amount will carry interest at the rate of 9% per annum from the date of default till payment.

M.A.C.A. is disposed of as above as settled.

K.JOHN MATHEW
(RETD. JUDGE, HIGH COURT OF KERALA)

M.R.HARIHARAN NAIR
(RETD. JUDGE, HIGH COURT OF KERALA)

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